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REMARKS

Claims 1-28 are pending in the application. Claims 1-28 stand rejected and Claims 1, 8, 9, 15 and 22 have been amended herein to further clarify the scope of the claimed invention. Applicants respectfully request reconsideration of pending Claims 1-28 in light of the amendments and remarks herein.

Claim objections

Claim 9 was objected to because the Examiner submits that an "or" should be inserted after the term "device" on line 5 of Claim 9 in order to make the claim consistent with Claim 2. Applicants submit that that Claim 9 had been amended herein and respectfully requests the Examiner to withdraw the objection to this claim.

35 U.S.C. §102

Claims 1-6, 8-13, 15-20 and 22-27 stand rejected under 35 U.S.C. § 102(e) as anticipated by Simpson (U.S. Publication No. 2004/0266399). The Examiner submits that Simpson discloses all elements of these claims. Applicant respectfully traverses the rejection.

Simpson describes a method and apparatus for providing selected status announcements from a wireless telephone user to a caller (Simpson, title). The Examiner points to various sections of Simpson as allegedly describing the elements of Claims 1-6, 8-13, 15-20 and 22-27. Applicants respectfully disagree that these sections of Simpson describe all elements of these claims. Specifically, with respect to independent Claims 1, 8, 15 and 22, each of these independent claims includes the element of "a data processing device" or a "machine" coupled to a cell phone where the data processing device or machine is capable of managing cell phone calls. Simpson does not disclose such a system. The sections of Simpson highlighted by the Examiner make no mention of a data processing system or machine coupled to the cell phone to manage the cell phone calls.

Thus, for example, although the Examiner points to item 302 in FIG. 3 of Simpson as teaching "a method/data processing device for managing incoming calls", item 302 appears to refer to the cell phone itself and there is no showing in Simpson that

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item 302 is coupled to an external data processing device capable of managing the cell phone calls. Similarly, the various other sections of Simpson highlighted by the Examiner merely describe various elements contained within the cell phone and not a data processing device coupled to a cell phone via a connection and capable of managing the cell phone calls, as claimed herein. Applicants respectfully direct the Examiner's attention to independent Claims 1, 8, 15 and 22, as amended herein to further clarify the claimed invention, and submit that the elements in these amended claims are not disclosed in Simpson. Applicants therefore respectfully contend that the Examiner's previously presented arguments against these claims is moot and Applicants respectfully requests the Examiner to withdraw the 35 U.S.C. § 102 rejections to pending Claims 1-6, 8-13, 15-20 and 22-27.

35 U.S.C. §103

Claims 7, 14, 21 and 28 stand rejected under 35 U.S.C. §103 as being unpatentable over the combination of Simpson in further view of Ihara et al (U.S. Publication No. 2004/0185915). Applicant respectfully traverses the Examiner's rejection.

Applicant respectfully points out that Claims 7, 14, 21 and 28 are all dependent claims, depending on independent Claims 1, 8, 15 and 22. As a result, (without conceding the propriety of combining Simpson with Ihara), Applicant respectfully submits that the combination of references cannot teach or suggest the elements of these claims. More specifically, as previously discussed, Simpson does not teach at least one element of the independent claims. Since the dependent claims incorporate all the limitations of the independent claims, and since Ihara also does not teach or suggest the missing element of the claims, the combination of Ihara with Simpson cannot teach the elements of the claimed invention. Applicant therefore respectfully requests the Examiner to withdraw the rejection to Claims 7, 14, 21 and 28 under 35 U.S.C. §103.

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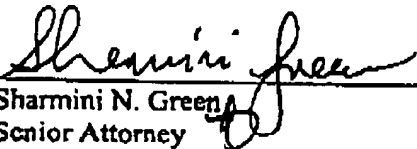
CONCLUSION

Based on the foregoing, Applicants respectfully submit that the applicable objections and rejections have been overcome and that pending Claims 1-28 are now in condition for allowance. Applicants therefore respectfully request an early issuance of a Notice of Allowance in this case. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (714) 669-1261.

If there are any additional charges, please charge Deposit Account No. 50-0221.

Respectfully submitted,

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